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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/653,286	08/31/2000	Takehiro Kaminagayoshi	397.15.01	4293

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EXAMINER

GOOD JOHNSON, MOTILEWA

ART UNIT	PAPER NUMBER
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2672

15

DATE MAILED: 04/07/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/653,286

Applicant(s)

KAMINAGAYOSHI ET AL.

Examiner

Motilewa A. Good-Johnson

Art Unit

2672

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 January 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 and 20-27 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-18 and 20-27 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

1. This office action is responsive to the following communications: Application, filed on 08/31/2000; IDS, paper #6, filed on 10/07/2002; Amendment A, filed 03/10/2003;
2. Claims 1-18 and 20-27 are pending in this application. Claims 1, 6, 7 and 12 are independent claims.
3. The present title of the application is "Entertainment System, Entertainment Apparatus, Recording Medium, and Program Providing Color Coded Display Messages" (as amended).

Continued Examination Under 37 CFR 1.114

4. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 01/21/2004 has been entered.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

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(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. Claims 1-18 and 20-27 are rejected under 35 U.S.C. 102(e) as being anticipated by Ozawa et al., U.S. Patent Number 6,538,666 B1, "Image Processing Device using Speech Recognition to Control a Displayed Object", class 345/728, 03/25/2003, filed 12/10/1999.

As per independent claim 1, an entertainment system comprising: an entertainment apparatus for executing various programs; at least one manual controller for inputting a manual control request of a user to said entertainment apparatus; (Ozawa discloses a manual controller for input means, figure 1, element 40) a display monitor for displaying an image outputted from said entertainment apparatus; (Ozawa discloses a television display, figure 1, element 30) and message display means for displaying a message on said display monitor such that a color of words of a category changes after an event or condition occurs. (Ozawa discloses a message processing program area for processing a message helpful for operation of the environment, col. 10, lines 1-5)

With respect to dependent claim 2, message data to be processed by said message displaying means comprises a plurality of combinations of a data unit indicating a word to be displayed and a display color code of said word to be displayed.

... (Ozawa discloses a message displaying process in which words of a message are displayed in different colors, col. 15, lines 38-67)

With respect to dependent claim 3, message determining means comprises display a color code setting means for determining a type of a word having an undefined color code in said message data and defining said undefined color code based on the determined type. (Ozawa discloses determining a message to be displayed and comparing the word data and the message data and correcting the color data of the message so that certain words are displayed in a different color, col. 15, lines 38-67)

With respect to dependent claim 4, message displaying means comprises message frame display means for displaying a message frame containing said message. (Ozawa discloses in figure 20)

With respect to dependent claim 5, message frame displaying means comprises message frame determining means for determining a display area of said message frame based on the number of characters in said message and display area of main objects . . . (Ozawa discloses message phrases in display area are output in different ways depending on the kind and scene, figure 22)

As per independent claims 6 and 7, they are rejected based upon similar rational as above independent claim 1.

With respect to dependent claims 8-11, they are rejected based upon similar rational as above dependent claims 2-5.

As per independent claim 12, it is rejected based upon similar rational as above independent claim 1.

With respect to dependent claims 13-18, determine if a predefined action has been performed, and to display a first word of the same type in meaning in said message in an alternate color. (Ozawa discloses an action control part for determining a word match of an action corresponding to the matched word, col. 4, lines 5-9 and further discloses the word to be inputted at a particular time and the remaining part of the message displayed in different colors, col. 3, lines 9-12)

With respect to dependent claims 20, 22, 24 and 26, the category comprises a place category and the color of a word of the place category indicates whether a character has previously visited the place. (Ozawa discloses a determining part, which determines whether the candidate word provided matches a word to be inputted at that time to a corresponding action control part, col. 4, lines 34-41)

With respect to dependent claims 21, 23, 25 and 27, the category comprises a person category and the color of a word of the person category indicates whether a character has previously met the person. (Ozawa discloses a determining part which determines whether the candidate word provided matches a word to be inputted at that time to a corresponding action control part, col. 4, lines 34-41)


Response to Amendment

7. Applicant's arguments with respect to claims 1-19 have been considered but are moot in view of the new ground(s) of rejection.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Motilewa A. Good-Johnson whose telephone number is (703) 305-3939. The examiner can normally be reached on Monday - Friday 8:30 AM - 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mike Razavi can be reached on (703) 305-4713. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9314 for regular communications and (703) 872-9314 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 306-0377.


Motilewa A. Good-Johnson
Examiner
Art Unit 2672

mgj
March 30, 2004